PETITION FOR ZONING VARIANCE 50 2151 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Paltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a (303.1) Variance from Section 1B02.3C1./to permit a rear yard of thirteen (13) feet in lieu of the required thirty (30) feet, and yard of 25 feet in lieu of the/required forty (40) foot average front yard setback. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (indicate hardship or practical difficulty) (1) That the requested variances will permit the creation of an additional ot on a nineteenth century residential property laid out long before present Zoning and Subdivision Regulations in the County. That the shallow depth of the lot and the width of the right-of-way allows only a fifteen (15) foot deep house, constituting practical difficulty and unreasonable hardship, and a waste of scarce urban land with all utilities and other public services available, without the requested variances. (See Attached Sheet) Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): L. Glen Rock (Type or Print Name) Patricia al Rock Ea Plumboff & Newton A. Williams 100 West Pennsylvania Ave. 821-7300 whoffe Newton a. Williams Towson, Maryland 21204 Plumhoff & Williams, Chartered St Pennsylvania Avenue Name, address and phone number of legal owner, conows Maryland 21204 100 W. Pennsylvania Ave.
Towson, Maryland 21204 ORDERED By The Zoning Commissioner of Baltimore County, this _____ of February 19 82, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Zoning Commissioner of Baltimore County. BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

CONTINUED FROM PAGE 1 OF PETITION FOR ZONING VARIANCE

with all public and private services.

(3) That the requested variances are in harmony with the spirit and inter t

of the Regulations, and they are in no way detrimental to the health,

safety and welfare of the area involved, and they are further consistent

with the Baltimore County policy of "infilling" on bypassed urban land

RE: PETITION FOR VARIANCES SE comer of Allegheny Ave. and Woodbine Ave., 9th District

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

L. GLEN ROCK, et ux, Petitioners: Case No. 82-215-A

ORDER TO ENTER APPEARANCE

::::::

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204

I HEREBY CERTIFY that on this 18th day of March, 1982, a copy of the foregoing Order was mailed to J. Earle Plumhoff, Esquire and Newton A. Williams, Esquire, Nolan, Plumhoff & Williams, Chartered, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorneys for Petitioners.

BALTIMORE COUNTY

ZONING PLANS



PETITION AND SITE PLAN

EVALUATION COMMENTS

March 31, 1982

RE: Item No. 144

Variance Petition

Petitioner - L. Glen Rock, et ux

COUNTY OFFICE BLDG. . Earle Plumhoff, Esquire

Newton A. Williams, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204 Nicholas B. Commodari

MEMBERS Buresu of Dear Sirs:

Department of Traffic Engineering State Roads Commission Fire Prevention

Health Department

Project Planning

Building Department

Zoning Administration

Board of Education

Industrial

The Zoning Plan: Advisory Committee has reviewed the plans ubmitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

The subject property, located on the southeast corner of Allegheny and Woodbine Avenues, is improved with a dwelling and garage with adjacent properties similarly improved.

In view of your clients' proposal to raze the garage and construct a dwelling that fronts on Woodbine Avenue, these variances for front and rear yard setbacks are requested.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, nechales B. Commoderel NICHOLAS B. COMMODARI, Chairman Zoning Plans Advisory Committee

NBC:bsc Enclosures cc: James S. Spamer & Associates 8017 York Road 21204 L. Glen Rock 100 W. Pennsylvania Ave 21204 BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MAKYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

March 12, 1982

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #144 (1981+1982) Property Owner: L. Glen & Patricia D. Rock S/E corner Allegheny Avenue and Woodbine Avenue Acres: 0.57 District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

Subdivision and resubdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

Highways:

Allegheny Avenue, formerly State Route 141 and now a County road, is proposed * to be further improved in the future as a 42-foot closed section roadway on a 60-foot right-of-way.

Woodbine Avenue, an existing public road, is proposed to be further improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way, with fillet areas for sight distance at the Allegheny Avenue intersection.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, dama ing private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Jtem #144 (1981-1982) Property Owner: L. Glen & Pauricia D. Rock March 12, 1982

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Allegheny and Woodbine Avenues.

Very truly yours,

Bureau of Public Services

RAM: EAM: FWR:ss

cc: Jack Wimbley John J. Trenner (S. Pochlman)

O-NE Key Sheet 39 NW 1 Pos. Sheet NW 10 A Topo 70 Tax Map

BALTIMOTE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

Mr. William E. Hammond

Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #144 (1981-1982) Property Owner: L. Glen & Patricia D. Rock S/E corner Allegheny Avenue & Woodbine Ave. Acres: 0.57 District: 9th

Dear Mr. Hammond:

The following revised comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

March 29, 1982

The Highwa Comments supplied March 12, 1982 are hereby amended, only in regard to Woodbine Avenue, as follows:

Woodbine Avenue, an existing public road, is proposed to be further improved in the future as a 40-foot closed section on a 60-foot right-of-way, with fillet areas for sight distance at the Allegheny Avenue intersection.

Bureau of Public Services

RAM: EAM: FWR: SE

cc: Jack Wimbley John Trenner - (S. Poehlman)

O-NE Key Sheet 39 NW 1 Pos. Sheet NW 10A Topo 70 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner TO Office of Planning and Zoning Date February 19, 1982

FROM Ian J. Forrest SURJECT Zoning Variance Items

> The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments

> > Item #137 - Paul G. & Karne A. Riesner

Item #139 - Frederick & Sharon Leavitt

Item #141 - Kenneth W. & Sharon A. Daniels

Item #142 - Edward E. & Louise Smith

Item #147 - James W. & Margaret I. Paul Item #148 - Paul J. & Ruth A. Glace

Item #151 - Harry S. & Dorothea S. Cook

Item #152 - Norbert Muench

Item #153 - Evan E. & Nancy I. Evans

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nick Commodari March 2, 1982 Charles E. (Ted) Burnham

Zoning Advisory Committee SUBJECT Meeting of February /1, 1982

> ITEM NO. 143 ITEM NO. 144

Standard Comments ITEM NO. 145 Standard Comments

ITEM NO. 146

Same Comment as Item No. 143

ITEM NO. 147 See Comment ITEM NO. 22

See Comment - Revised

See Comments

Charle & Sumbon Charles E. (Ted) Burnham

Plans Review Chief

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 22, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Proposed Zoning:

Z.A.C. Meeting of: February 16, 1982

RE: Item No: 143, 144, 145, 146, 147 Property Owner: Location: Present Zoning:

> District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning

WNP/bp



PAUL H. REINCKE CHIE. April 8, 1982

Mr. William Hammond Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: L. Glen and Patricia D. Rock

Location: SE/Cor. Allegheny Avenue and Woodbine Avenue

Item No.: 144 Zoning Agenda: Meeting of February 16, 1982

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Approved: Noted and Approved: Fire Prevention Bureau

Special Inspection Division

JK /mb /cm

LOCATION:

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211 NORMAN E. GERBER DIRECTOR

March 25, 1982

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #144, Zoning Advisory Committee Meeting, February 16, 1982, are as follows:

Property Owner: L. Glen and Pairicia D. Rock Location: SE/cor Allegheny Avenue and Woodbine Avenue Acres: 0.57 District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The petitioner must comply with Title 22 of the Baltimore County Code (Subdivision Regulations).

Very truly yours,

Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond Zoning Commissioner Date___Morch_23__1982_____ Norman E. Gerber, Director FROM Office of Planning and Zoning

There are no comprehensive planning factors requiring

Nerman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:rmc

SUBJECT Zoning Petition No. 82-215-A

comment on this petition.

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

April 8, 1982

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Re: ZAC Meeting of February 16, 1982

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments

for items numbers 143 to 147.

Engineering Associate II

MSF/rlj

ETITION FOR VARIANCE

9th DISTRICT

Southeast corner of Allegheny Avenue and Woodbine Avenue

Petition for Variance ZONING:

Tuesday, April 6, 1982 at 9:45 A.M. DATE & TIME:

Room 106, County Office Building, 111 W. Chesapeake Ave., PUBLIC HEARING:

Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Variance to permit a rear yard of thirteen (13) feet in lieu of the required thirty (30) feet, and to permit a front yard of 25 feet in lieu of the m. imum required forty (40) foot average front yard setback

The Zoning Regulation to be excepted as follows: Section 1B02.3C1 (303.1) - Minimum rear yard and average front yard setbacks in D. R. 5. 5 Zone

All that parcel or land in the Ninth District of Baltimore County

Being the property of L. Glen Rock, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, April 6, 1982 at 9:45 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Mary land

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

PLESSIONAL ENGINEERS & LAND BURVEYORS 8017 YORK ROAD - TOWSON, MD. 21204

#551 Allegheny Avenue Description for Zoning Purposes FILE 1-1086 X

> Beginning for the same at the point formed by the intersection of the center line of Allegheny Avenue with the center line of Woodbine Avenue and running thence binding on the center line of Allegheny Avenue (1) South 650 19' East 98 feet-11 inches, thence (2) South 32° 06' West 259 feet-10 inches, thence (3) North 58° 06' West 98 feet-1 inch to the center line of Woodbine Avenue, thence binding on the center line of Woodbine Avenue, (4) North 32° 06' East 247 feet-6 inches to the place of beginning, also known as 551 Allegheny Avenue.
>
> Containing 0.57 acres of land more or less.

RE: PETITION FOR VARIANCES BEFORE THE SE/corner of Allegheny and Woodbine Avenues - 9th Election District ZONING COMMISSIONER L. Glen Rock, et ux - Petitioners NO. 82-215-A (Item No. 144)

The petitioners herein seek to secure variances to permit a rear yard setback of 13 feet in lieu of the required 30 feet and a front yard setback of 25 feet in lieu of the maximum required 40 foot average. At the outset of the hearing, the petitioners amended their original variance request for the front yard setback from 25 feet to 30 feet—a reduction of 5 feet. The petitioners introduced a site plan prepared by James S. Spamer and Associates, revised March 25, 1981, and marked Petitioners' Exhibit 1, to explain the requested variances.

L. Glen Rock testified that he and his wife own the subject site located

on the southeast corner of Allegheny and Woodbine Avenues, which contains 17,000 net square feet of land and is improved with a six-bedroom dwelling, known and designated as 551 Allegheny Avenue, and a detached garage. The net area contained in the site excludes the proposed future widening of both Woodbine and Allegheny Avenues as indicated in the comments submitted by the Department of Public Works, dated March 12 and March 29, 1982. Mr. and Mrs. Rock intend to subdivide the site into two lots-one to have a frontage of 73 feet on Allegheny Avenue with a depth of 110 feet along the proposed widhing line of Woodbine Avenue and to contain the existing dwelling and the other to have a frontage of 120 feet along the proposed widening line of Woodbine Avenue with a depth of 73 feet and containing the garage proposed to be razed. le further tostified that the property had been listed for sale with two different real estate agents without success, that he had been advised that subdividing the tract would increase the chance of its sale, and that there is a demand for single-family dwellings in the area by "in fill" development. This testimony

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353

WILLIAM " HAMMOND ZONING COMMISSIONER

April 1, 1982

Newton A. Williams, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

> 1RE: Petition for Variance BE/corner Alleghery Ave. & Woodbine Ave. -9th Election District L. Glem Rock, et ux - Petitioners NO. 82-215-A (Item No. 144)

Dear Mr. Williams:

This is to advise you that ____\$57, 15 ___ is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to The Zoning Office, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

> Verystruly your WILLIAM E. HAMMOND Zoning Conmissioner

WEH/mc

was supported by Hugh Gelston, a real estate appraiser. Additionally, James S. Spamer testified that an envelope was used for the new lot to give flexibility to the size and type of dwelling to be constructed, but he indicated that a ranch home design probably would be used even though most of the existing homes were two story. He also cited other homes in the general area having minimal rear yards and is of the opinion that a rear yard seiback of 13 feet would not create a precedent or be a negative factor in the development of the lot.

Mary Ginn, testifying in behalf of the protestants, indicated that a singlefamily dwelling with a front yard setback of 30 feet would not be offensive, but could be if a front porch was constructed as an encroachment into this setback. No one contested Mr. Spamer's testimony regarding the rear yard setback. David Kinhart, owner and resident of the property adjacent to the south of the subject site, known as 580 Woodbire Avenue, testified that he would not oppose the requested variances if the driveway were relocated to the northerly side of the proposed lot. The petitioners expressed no objection to these suggestions and were in favor of the order requiring these restrictions.

Based upon all of the testimony, it is clear that to comply with the Baltimore County Zoning Regulations regarding the setback requirements for which the petitioners request variances would create practical difficulty and unreasonable hardship.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of May, 1982, that the Petition for Variances, as mended, to permit a rear yard setback of 15 feet in lieu of the required 30 et and a front yard setback of 30 feet in lieu of the maximum required 40 foot verage, for the expressed purpose of constructing a single-family dwelling Thereon within the envelope established on Petitioners' Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

> 1. Compliance with the Baltimore County subdivision regulations.

March 9, 1982

Newton A. Williams, Esquire Nolan, Plumhoff & Williams, Chartered 204 W. Pennsylvania Avenue Towson, Maryland 2204

NOTICE OF HEARING

Petition for Variance SE/cor of Allegheny Ave. & Woodbine Ave. L. Glan Rock, et un - Petitioners Case #82-215-A Item 144

TIME:_	9:45 A. M.
DATE:_	Tuesday, April 6, 1982
PLACE	ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
	TOWSON, MARYLAND

BALITIMORE COUNTY

2. There shall be no projections into or encroachments upon the front yard setback of 30 feet. Any garage. carport, driveway, and/or motor vehicle parking pad shall be located only toward the northern side lot line.

3. A revised site plan, incorporating the restrictions set forth above, shall be submitted for approval by the Department of Public Works and the Office of Planning and Zoning.

> Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E HAMMOND ZONING COMMISSIONER

May 24, 1982

Newton A. Williams, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Variances SE/corner of Allegheny and Woodbine Avenues - 9th Election District L. Glen Rock, et ux - Petitioners NO. 82-215-A (Item No. 144)

Dear Mr. Williams:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours

Zoning Commissioner

WEH/srl

Attachments

cc: Mrs. Mary Ginn 606 Horncrest Road Towson, Maryland 21204

> Mr. Howard Kinhart 580 Woodbine Avenue Towson, Maryland 21204

Mr. William Craew 581 Woodbine Avenue Towson, Maryland 21204

John W. Hessian, III, Esquire People's Counsel

J. Barie Finshoff, Rayaire Berton A. Villiane, Esquire 204 Vest Penneyl sain Avenue Jeros K. Spacer & Associates 3017 York Load Termon, Mi., 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for fill

Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Number of Signs:

